

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Bruce Lee Hudson, #299312,)	C/A No. 3:19-cv-01499-SAL-TER
a/k/a Bruce Lee Hudson, #101021,)	
a/k/a Bruce L. Hudson,)	
)	
Plaintiff,)	
)	
v.)	OPINION & ORDER
)	
Richland Hospital, Baptist Hospital,)	
Polly Smith, Baptist Hospital employee,)	
Tristan Nevillie, Baptist Hospital employee,)	
Becky Boude, Richland Hospital employee,)	
Jennifer Latham, Richland Hospital)	
employee, James Moore, Richland Hospital)	
employee, Joey Smith, Richland Hospital)	
employee, Latisha Pitts, CPD Police)	
Officer, Malik Hockett, SCDC Officer,)	
Officer Shaw, Richland County Probation,)	
)	
Defendants.)	
)	

This matter is before the court for review of the April 22, 2020 Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III (the “Report”), made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(e) (D.S.C.). In the Report, the Magistrate Judge recommends summarily dismissing Defendants Richland Hospital and Baptist Hospital with prejudice and without issuance of service of process. The Magistrate Judge further recommends that all other claims against the remaining defendants may proceed. [ECF No. 60.] Plaintiff was advised of his right to file objections to the Report. *Id.* No party filed objections to the Report, however, and the time for response has lapsed.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this

court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, and incorporates the Report by reference herein. Accordingly, the claims against Defendants Richland Hospital and Baptist Hospital are hereby **DISMISSED, with prejudice** and without issuance of service of process. All remaining claims will proceed.

IT IS SO ORDERED.

/s/ Sherri A. Lydon
United States District Judge

May 15, 2020
Florence, South Carolina